

DELEGATED REPORT

Application No: P/26/0045

Site Address: 14 Ivy Close
Trelewis
Treharris
Merthyr Tydfil
CF46 6ET

Development: Proposed conversion of the garage into ancillary living accommodation and replace garage door French doors with windows either side

Case Officer: Kate Glover

Application Expiry Date: 27th April 2026

Consultation reply date expired:

APPLICATION SITE

The application relates to a detached dwelling located within a residential estate in the settlement boundary. The site is bound by a highway to the front and dwellings to the sides area rear.

PROPOSED DEVELOPMENT

A Lawful Development Certificate is sought to convert an existing integral garage into living accommodation, namely a study. This would involve the removal of the existing garage door on the front elevation and the insertion of French windows, with smaller windows positioned on either side of the opening. The window frames would match the design of the other windows on the house. Any part of the garage door opening that is not taken up by the new windows would be infilled and finished with brickwork to match the existing elevation.

PLANNING HISTORY

The relevant planning history is summarised below:

P/25/0293 Proposed conversion of the garage into ancillary living accommodation and replace garage door with a window
Certificate of Lawfulness Granted: 16 Dec 2025

CONSULTATION

The determination of this application does not include any consideration of the planning merits of the case and there are therefore no local development plan policies that need to be taken into account.

PUBLICITY

The application seeks the determination of whether the proposed operations are lawful and no consultation with nearby properties is therefore required to be undertaken.

POLICY CONTEXT

The determination of this application does not include any consideration of the planning merits of the case and there are therefore no local development plan policies that need to be taken into account.

NATIONAL GUIDANCE

The Development Management Manual provides guidance on the procedural aspects of the development management system.

Welsh Office Circular 24/97: Enforcing Planning Control, Annex 8, deals with 'Lawfulness and the Lawful Development Certificate.'

Paragraph 8.26 states that if the LPA are supplied with information satisfying them that the use or operations described in the application would be lawful, they shall issue a certificate to that effect and, in any other case, they shall refuse the application. The burden of proof is firmly on the applicant.

Paragraph 8.28 advises that a LDC granted under Section 192 shall specify the land to which it relates, describe the use or operations in question (identifying the relevant 'use class' where appropriate), and give the reason why the proposal would be lawful.

PLANNING CONSIDERATIONS

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the conversion of an integral garage and alterations to the garage door to provide a French windows, as detailed in the submitted plans, would be lawful for planning purposes. In effect, the application seeks to establish whether or not the proposal is 'permitted development' and therefore capable of being carried out without the need for planning permission. With relevance to this case, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (as amended) 1995 states that the following development is permitted:

'The enlargement, improvement or other alteration of a dwellinghouse'

The proposed development is considered to constitute 'Permitted Development' by virtue of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 for the following reasons.

1. The garage conversion would not involve an extension of the dwelling or encroach into the dwelling's curtilage.
2. It would not result in an alteration to the roof or affect the height or the eaves of the part of the dwellinghouse to be altered.
3. It would not result in an enlargement of the dwelling.
4. The proposal does not involve any external wall insulation or the provision of a roof terrace, veranda, raised platform or balcony.
5. The proposal does not involve the installation, alteration or replacement of a microwave antenna, chimney, an air heat source pump, solar PV or solar thermal equipment or a flue forming part of a biomass heating system or combined heat and power system.
6. It does not include the installation of shutters.

In addition, the proposed French window and smaller windows would match the existing windows and infilled section of wall would be finished using brickwork to match the appearance of the existing house.

A recent lawful development certificate application (ref: P/25/0293) sought to establish whether the conversion of the integral garage and the replacement of the garage door with a window would be lawful. Both that application and the current proposal relate to converting the garage, although one scheme proposes a window while the other proposes French doors. Only one of these schemes would be carried out, and as neither requires planning permission, the previous certificate does not affect the current proposal, nor does the current proposal impact the historical certificate.

It is therefore recommended that the application be approved.

RECOMMENDATION: BE APPROVED for the following **REASON:**

1. The proposed conversion of the garage to additional residential living accommodation constitutes 'Permitted Development' by virtue of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 13.03.2026